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February 17, 2025

### VIA ECF

The Hon. Barbara Moses, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, N.Y. 10007

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## MEMO ENDORSED

Re: Hreish et al. v. Pappas et al., No. 24-cv-2284-JHR-BCM (S.D.N.Y.)

Dear Judge Moses:

I write on behalf of Plaintiffs. At the Rule 16 conference the Court directed the Parties to serve their initial disclosures within two weeks, i.e. by 2/5/25. *See* ECF #87 at ¶ 3. Plaintiffs complied timely. Defendants have not complied — and have ignored my email reminders about this (on 2/5 and 2/10).

This is the latest instance of Defendants ignoring their discovery obligations and the Court's instructions, in addition to: (1) ignoring Plaintiffs' 10/10/24 discovery demands, *see* ECF #73 and ECF #78; (2) repeatedly ignoring Court-ordered briefing deadlines, *see* ECF #79 and ECF #81 at 3; and (3) ignoring the Court's explicit directive to meet-and-confer with Plaintiffs over the preservation and discovery of ESI. *See* ECF #94.

In light of Defendants' clear pattern of dilatory conduct and disregard for discovery obligations and court-ordered deadlines, Plaintiffs respectfully request that the Court issue an appropriate order compelling Defendants' compliance and imposing appropriate sanctions sufficient to deter Defendants from their course of conduct.

Thank you for Your Honor's consideration.

Respectfully,

/s/ Jonathan R. Miller

cc: P. Goodman, Esq. (via ECF)

Plaintiffs' unopposed letter-motion is GRANTED to the extent that, **no later than March 10, 2025**, defendants must submit a letter on ECF confirming that the required initial disclosures were served and providing the date and time of service. In the event defendants fail to so certify their compliance, they must instead show cause in writing why they should not be sanctioned pursuant to Rule 16(f). SO ORDERED.



Barbara Moses  
United States Magistrate Judge  
March 3, 2025